



1 Fu
AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chang-Yi LIN et al. Confirmation No: 9676
Appl. No. : 10/800,622
Filed : March 16, 2004
Title : STABLE AND TASTE MASKED PHARMACEUTICAL
DOSAGE FORM USING POROUS APATITE GRAINS

TC/A.U. : 1618
Examiner : N.G. Ebrahim

Docket No.: : LINC3186CIP/REF
Customer No: : 23364

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the notice of non-complaint appeal brief mailed on May 27, 2009, in connection with the above-identified application. This response is timely filed.

This notice requires the correction of the status of the claims to reflect that claims 1-16, 18-20 and 72 are pending and on appeal. This error has been corrected by submitting herewith a new Status of Claims Section and not an entire new appeal brief. Applicants submit herewith the required corrected Status of Claims section in which claims 1-6 has been corrected to read 1-16. The number 6 was a typographical error for 16.

Please enter this correction and forward the appeal brief to the Examiner for early consideration and allowance of this application.

Respectfully submitted,
BACON & THOMAS, PLLC

By: Richard E. Fichter
Richard E. Fichter
Registration No. 26,382

625 Slaters Lane, 4th Fl.
Alexandria, Virginia 22314
Phone: (703) 683-0500
Facsimile: (703) 683-1080
REF/ref
Responsetononcompliant.wpd
June 6, 2009

Appl. No. 10/800,622
Appeal Brief dated: April 22, 2009
Corrected Status of Claims
Notice of Appeal filed: January 22, 2009



41.37 (c)(1)(iii) STATUS OF THE CLAIMS

This application contains claims 1-72. Claims 17 and 21-71 have been canceled from the application without prejudice or disclaimer and are no longer pending. Claims 1-16, 18-20 and 72 are pending and are the claims on appeal. Claims 1-16, 18-20 and 72 stand finally rejected under 35 USC 103(a) as obvious over the prior art cited and applied in the Final Rejection.